

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1813 be amended to read as follows:

- 1 Page 79, between lines 12 and 13, begin a new paragraph and insert:
- 2 "SECTION 106. IC 31-35-1-4, AS AMENDED BY P.L.200-1999,
- 3 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2001]: Sec. 4. (a) If requested by the parents:
- 5 (1) the county office of family and children; or
- 6 (2) a licensed child placing agency;
- 7 may sign and file a verified petition with the juvenile or probate court
- 8 for the voluntary termination of the parent-child relationship.
- 9 (b) The petition must:
- 10 (1) be entitled "In the Matter of the Termination of the
- 11 Parent-Child Relationship of _____, a child, and
- 12 _____, the child's parent (or parents)"; and
- 13 (2) allege that:
- 14 (A) the parents are the child's natural or adoptive parents;
- 15 (B) the parents, including the alleged or adjudicated father if
- 16 the child was born out of wedlock:
- 17 (i) knowingly and voluntarily consent to the termination of
- 18 the parent-child relationship; or
- 19 (ii) are not required to consent to the termination of the
- 20 parent-child relationship under section 6(b) of this chapter;
- 21 (C) termination is in the child's best interest; and
- 22 (D) the petitioner has developed a satisfactory plan of care and
- 23 treatment for the child.
- 24 **(c) If the petitioner's plan of care and treatment for the child**

1 **includes adoption, the petitioner shall, as part of the petition, verify**
 2 **that the petitioner:**

3 **(1) has identified; or**

4 **(2) is in the process of identifying;**

5 **a prospective adoptive parent for the child.**

6 SECTION 107. IC 31-35-2-4, AS AMENDED BY P.L.200-1999,
 7 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2001]: Sec. 4. (a) A petition to terminate the parent-child
 9 relationship involving a delinquent child or a child in need of services
 10 may be signed and filed with the juvenile or probate court by any of the
 11 following:

12 (1) The attorney for the county office of family and children.

13 (2) The prosecuting attorney.

14 (3) The child's court appointed special advocate.

15 (4) The child's guardian ad litem.

16 (b) The petition must:

17 (1) be entitled "In the Matter of the Termination of the
 18 Parent-Child Relationship of _____, a child, and
 19 _____, the child's parent (or parents)"; and

20 (2) allege that:

21 (A) one (1) of the following exists:

22 (i) the child has been removed from the parent for at least
 23 six (6) months under a dispositional decree;

24 (ii) a court has entered a finding under IC 31-34-21-5.6 that
 25 reasonable efforts for family preservation or reunification
 26 are not required, including a description of the court's
 27 finding, the date of the finding, and the manner in which the
 28 finding was made; or

29 (iii) after July 1, 1999, the child has been removed from the
 30 parent and has been under the supervision of a county office
 31 of family and children for at least fifteen (15) months of the
 32 most recent twenty-two (22) months;

33 (B) there is a reasonable probability that:

34 (i) the conditions that resulted in the child's removal or the
 35 reasons for placement outside the home of the parents will
 36 not be remedied; or

37 (ii) the continuation of the parent-child relationship poses a
 38 threat to the well-being of the child;

39 (C) termination is in the best interests of the child; and

40 (D) there is a satisfactory plan for the care and treatment of the
 41 child.

42 (3) Indicate whether at least one (1) of the factors listed in section
 43 4.5(d)(1) through 4.5(d)(3) of this chapter applies and specify
 44 each factor that would apply as the basis for filing a motion to
 45 dismiss the petition.

46 **(c) If the plan of care and treatment for the child includes**

- 1 **adoption, the attorney for the county office of family and children**
2 **shall, as part of the petition, verify that the county office of family**
3 **and children:**
4 **(1) has identified; or**
5 **(2) is in the process of identifying;**
6 **a prospective adoptive parent for the child."**
7 Page 82, line 27, after "December 31" insert ",".
8 Renumber all SECTIONS consecutively.
 (Reference is to HB 1813 as printed February 28, 2001.)

Representative Kuzman